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Foster Care Adoption in the United States: A State by State Analysis of Barriers & Promising Approaches

Commissioned by the National Adoption Day Coalition:

THE ALLIANCE FOR
CHILDREN'S RIGHTS

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CONDUCTED BY THE URBAN INSTITUTE CHILD WELFARE RESEARCH PROGRAM

**Please note that the following report is
embargoed until Wednesday, November 17, 2004
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The **National Adoption Day Coalition** is comprised of eight partners – The Alliance for Children's Rights, Casey Family Services, Children's Action Network, Congressional Coalition on Adoption Institute, Dave Thomas Foundation for Adoption, Freddie Mac Foundation, and Target Corporation – that work to draw special attention to foster children waiting for permanent families and to celebrate all loving families that adopt. **Web site:** www.nationaladoptionday.org

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INTRODUCTION

According to the most recent statistics available, in the United States in 2002, 129,000 children were in foster care systems nationwide waiting to be adopted. These children found themselves in this circumstance because their parents could no longer provide for their care. Child welfare agencies and courts around the country have made efforts to find families to adopt these children, but significant barriers have continued to impede the process. As a result, many of these children remain in foster care for years without having a place to call home. Moreover, when they age out of care usually at age 18, they are without permanent connections to families needed for success as adults.

The foster care adoption process is complex and afflicted by many potential barriers, some of which are easier to address than others. Some barriers might even be considered necessary, in that they exist to protect a child's best interests or a parent's rights. For example, some children are not psychologically ready to be adopted, and some older children may choose not to be adopted. Similarly, the process may slow to ensure that parents have the opportunity to appeal court decisions or to obtain sufficient services to address their needs. Thus, even in a perfect system, some adoptions would not move quickly and some would not happen at all.

There are parts of the adoption process, however, that can be improved, and states are implementing a variety of strategies to do so. The 1997 Adoption and Safe Families Act (ASFA) made significant changes to child welfare policy by setting timelines and practice guidelines for achieving permanent outcomes for children. As a result of this legislation and a renewed focus on permanency outcomes, more children are moving through the adoption process. In 1998, 37,000 children were adopted. In 1999, the number of adoptions rose to 47,000. And in 2002, 53,000 children were adopted nationwide.

For years, the field has speculated about why children remain in foster care and why the adoption process is not timely. Research has looked at particular aspects of the process and barriers faced by particular states or localities. *Foster Care Adoption in the United States: A State-by-State Analysis of Barriers & Promising Approaches* goes one step further by providing the first national look across states at the barriers to the adoption process, as well as promising approaches to address them.

This report comes at a critical time. With the policy changes brought about by ASFA and increased numbers of children moving through the adoption process, the barriers to adoption and the need for promising approaches are more acute. This report describes the complexities, progress and struggles states are experiencing in implementing new ASFA policies to move children toward adoption. It also offers policymakers a first-time comprehensive look into the barriers and progress at the national and state levels, and provides practitioners with the opportunity to learn from each other's challenges and successes.

The National Adoption Day Coalition commissioned the Urban Institute to conduct this study using information relevant to adoption from states' Child and Family Services Reviews (CFSRs). CFSRs are administered by the U.S. Department of Health and Human Services (DHHS) and are designed to help states improve child welfare services and identify areas where technical assistance can lead to program improvements.¹ This report is organized into the following sections:

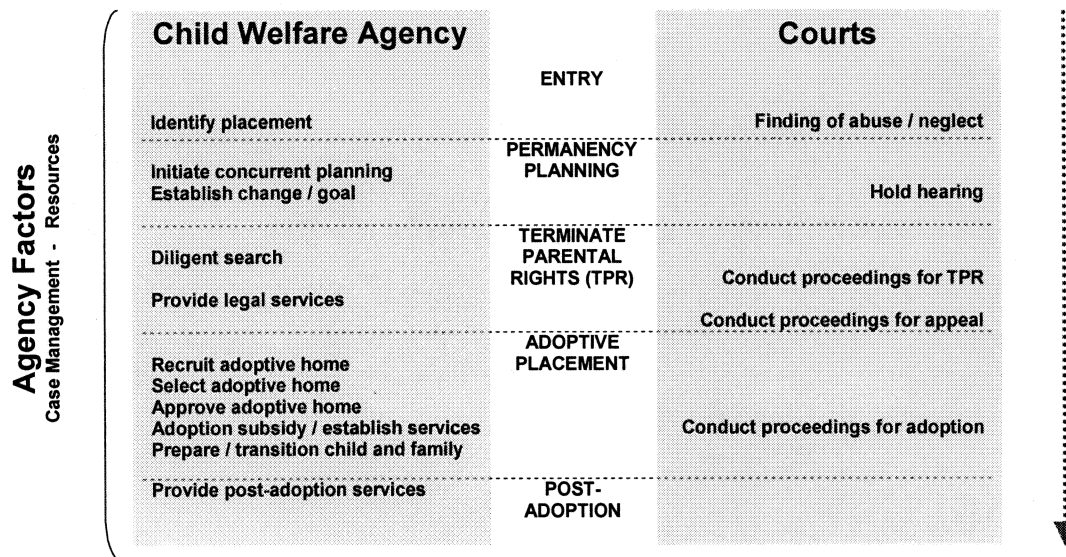
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¹ The current CFSR process began as early as 1998 and is concluding in 2004. States may have made changes to their adoption processes since completing their CFSRs that are not reflected in this report.

HOW DOES ADOPTION WORK?

Moving children into adoptive homes requires several steps, as well as a complex interplay between the child welfare agency and the courts, both of which play key roles in shaping the adoption process. (See Figure 1.) The movement of a child's case through the system is marked by several key stages. (For a complete description of these stages, see the Glossary on page 13.)

Figure 1: Stages to Adoption



STAGES OF ADOPTION

Entry

A child first enters the child welfare system most often due to abuse or neglect suffered at the hands of his or her parents. At this point, the child is removed from his or her home and the child welfare agency assesses the child's needs and *identifies a placement* best suited for the child. The court makes a *finding of abuse or neglect*. In identifying a placement, the agency may seek a family who is interested in adopting the child, which may speed the adoption process if it is later determined the child can not be reunified with his or her parents. However, if the finding of abuse or neglect is not timely in the courts, future permanency hearings may be delayed. In face, adoption efforts can begin at placement.

Permanency Planning

After a child is placed in care, the child welfare agency begins a process called "permanency planning." This process involves the development of a plan with a *permanency goal* to eventually return the child home (reunification) or place the child in an alternate living arrangement (e.g., adoption, legal guardianship, permanent placement with relatives, or other planned permanent living arrangement). Agencies may implement a practice called *concurrent planning* to simultaneously pursue reunification and another permanency option, should reunification fail. The court must hold a *permanency hearing* for the child within 12 months of a child's entry into care to confirm the goal for the child and order the appropriate actions to support it.

Termination of Parental Rights (TPR)

If it is determined that the child welfare agency will make efforts to place the child for adoption, the process of terminating parental rights begins. This process involves conducting a *diligent search* for the child's absent parents and/or extended birth family members, conducting *court proceedings*, providing *legal services* for the parents, and conducting proceedings should the parent *appeal* the TPR. In some cases, a parent may voluntarily relinquish his or her parental rights.

Adoptive Placement

States vary as to when they begin the process of finding an adoptive placement for the child. Some begin during concurrent planning, while others wait until TPR proceedings have been finalized. This process involves *recruiting*, *selecting* and *approving* the appropriate home. The court then conducts *adoption proceedings*, while the agency sets up a *subsidy and establishes services* for the adoptive family, and *prepares the family and child* for the adoption. All adoptive families are eligible to receive an adoption subsidy to assist with care expenses.

Post-Adoption

After the adoption is finalized, the child is no longer in the custody of the state, and the new adoptive family assumes full responsibility for the child's care. States may *provide post-adoptive services* to ensure a smooth transition into the adoptive home for both the child and the adoptive family.

The child welfare agency and the courts play key roles in the adoption process. The operations of these entities can significantly affect how cases move toward adoption. Two aspects of organizational operation are of particular interest:

Case Management

Case management refers to how the courts or the child welfare agency handles a case. Specifically, how do organizational structure, employee beliefs and information systems affect the movement of a case through the agency or courts?

Resources

Resources include monetary and human resources the court or the child welfare agency has to carry out the organization's operations.

RESEARCH METHODOLOGY

The data for this analysis were taken from the states' Child and Family Services Reviews (CFSR). The CFSR is a tool used by the federal government to ensure that state child welfare agencies conform to federal child welfare requirements. Congress mandated CFSRs through amendments to the Social Security Act in 1994, and ASFA of 1997 further specified the review process, requiring a more hands-on assessment of states' conformity with a set of indicators. The process is designed to help states improve child welfare services and the outcomes for families and children who receive services by identifying promising approaches and needs within state programs, as well as areas where technical assistance can lead to program improvements. CFSRs are administered by the Children's Bureau, Administration for Children and Families (ACF), U.S. Department of Health and Human Services.

The review process is a collaborative effort between the federal and state governments. A review team made up of both state and federal staff members conducts the reviews and evaluates state performance. The team relies on information from a variety of sources in making decisions about a state's performance, including a statewide assessment completed by the state's members of the review team; onsite reviews of a sample of children and families served by the state; statewide aggregate data; and interviews with state and community representatives. The CFSR results in three documents: the statewide assessment, a final review, and a subsequent program improvement plan (PIP). The PIP provides a plan for addressing outcomes that are not determined to be in substantial conformity. The CFSR review process began in 1998 and will conclude in 2004. States will be reviewed again in five years.

This report assessed all three CFSR documents when available. Final reviews were obtained for 50 states and the District of Columbia. Statewide assessments were available for 45 states and the District of Columbia. Program improvement plans were obtained for 42 states and the District of Columbia. The state profiles indicate when one of these documents was not available and, therefore, not included in the analysis.

The assessment of barriers and promising approaches was conducted in three stages:

Extraction

An "extraction document" was created for each state by cutting and pasting information relevant to adoption from the CFSR documents. Specifically, state report items 7, 9, 27, 28, 44 and 45; statewide assessment outcome questions 4, 6 and 11; and the systemic factor on foster and adoptive homes were included. Information from these items and questions specifically addressed issues of adoption, including permanency goals, TPR, adoptive parent recruitment and the ICPC (Interstate Compact for Placement of Children). Other sections of the reports were also reviewed and information on staffing, training, organizational structure and agency resources was extracted when it was relevant to adoption.

Assessment

The next step was to assess the extraction document for barriers and promising approaches at each of the stages of adoption. When a state reported a particular barrier or promising approach, it was entered into a barriers and promising approaches table for that state. (See state profiles.) A barrier included any difficulty or obstacle that hampered efforts to move children into adoptive homes. Promising approaches included any innovative practice, approach, improvement, program or policy that reportedly enhanced adoption efforts. Given the small number of applicable cases, barriers and promising approaches reported in the onsite reviews were not included unless they were corroborated by another source, like the stakeholder interviews.

Checking

One staff member conducted the assessment and created the state table. A second staff member checked the table of barriers and promising approaches against the extraction to ensure appropriate items were extracted and placed in correct stages. Team members met frequently to discuss questionable items and ensure the placement of items in stages was consistent.

To provide context for the barriers and promising approaches, each state profile also includes a set of key indicators related to adoption, such as foster caseload numbers, number of children waiting to be adopted (defined as children whose parents' parental rights have been terminated and/or have a goal of adoption), and the number of children adopted and by whom. Demographic characteristics for some of these groups are included. Data are offered for 1999 through 2001, and for 2002, when available. National estimates for 2001 are also provided for comparison. These indicators were obtained from the Adoption and Foster Care Analysis and Reporting System (AFCARS), which provides a compilation of state reports on the numbers and characteristics of children waiting to be adopted and those who have been adopted. States may have more current data than what is available in the federal AFCARS.

Spending on adoption services for each state is also provided in the profiles. The Urban Institute Child Welfare Survey, conducted in 1997, 1999, 2001 and 2003, collected state child welfare expenditures for the previous state fiscal year (SFY) (e.g., SFY's 1996, 1998, 2000 and 2002, respectively). The spending figure provided in each state profile includes Title IV-E expenditures on adoption and the corresponding calculated required state match. Title IV-E funding represents the majority of spending on adoption and related activities. For those states that were unable to provide Title IV-E adoption expenditures (seven states in 2001 and six states in 2003), data provided by the Department of Health and Human Services were used.

GUIDELINES TO RESEARCH

A few key points are important to keep in mind when reviewing these findings:

Number but Not Magnitude of Promising Approaches and Barriers

This analysis simply identifies when a particular promising approach or barrier is reported; it does not indicate the magnitude of a particular barrier or approach. For example, two very difficult barriers may be comparable to 15 mild barriers in terms of the challenge those barriers present to a state.

States' Report of Promising Approaches and Barriers

This analysis is based on states' reports of barriers and promising approaches. It is important to remember that just because a barrier or promising approach is not reported, it does not mean that one does not exist. For example, it is most accurate to say "48 states *report* barriers in the TPR stage." It would not be accurate to say "48 states *have* barriers in the TPR stage."

Time Lapse

This analysis is based on the first round of CFSRs, most of which were conducted between 2000 and 2004. Much may have changed since that time, particularly for those conducted early in the process. However, these data provide a useful baseline for assessing future change. Ideally, a follow-up study will be conducted to allow states to comment on this particular assessment and provide new and updated information.

CFSR Item Ratings

In the CFSR final review for each state, the review team rates states by labeling a set of items as either a strength or area needing improvement. Six of these items were determined to be particularly relevant to adoption. Table 1 shows the number of states that received a rating of strength for each item related to adoption. The remaining states were labeled as needing improvement in these areas. Ratings for these items for all the states can be found online at <http://www.acf.hhs.gov/programs/cb/cwrp/results.htm>.

Table 1: CFSR Items

CFSR Final Report Items	States Given a Rating of Strength for Item (Percent and Number)	
Item 7: Permanency goal	9.6%	5
Item 9: Timely adoption	11.5%	6
Item 27: Permanency hearing process	50%	26
Item 28: TPR process	42%	22
Item 44: Process for ethnic/racial diversity in recruitment	40%	21
Item 45: Process for use of cross-jurisdictional homes	90%	47

This report builds on the CFSR analysis, but goes a step further by identifying promising approaches and barriers at specific stages of adoption. The CFSR ratings on particular items informed the identification of specific promising approaches and barriers, yet much of the information for this analysis was drawn from the supporting text for the different ratings, as well as the Program Improvement Plans (PIPs) and statewide assessments.

KEY FINDINGS: BARRIERS TO FOSTER CARE ADOPTION

The adoption process is complex, and states face many barriers to moving children toward adoption. The stages where states most commonly report barriers are described below. It is important to remember, however, that some barriers are easier to address than others. In fact, some barriers are inherent to the adoption process and may exist for important reasons. For example, youth over the age of 14 may choose not to be adopted. Similarly, parents have the right to appeal a termination of their parental rights. Thus, regardless of how well a system functions, it may not be possible to move all children toward adoption quickly. However, identifying the stages where barriers occur and what specifically thwarts states' efforts may guide improvements where they can be made.

Top Five Stages Where States Report Barriers (See Table 2 on page 16.)

1) Conduct TPR Proceedings

Conducting TPR proceedings involves a back-and-forth relationship between the child welfare agency and the courts. The two have to work together to file the petition, hold the hearings and finalize the TPR. Most states (48) report significant barriers in this stage, which can delay the adoption process. Some of the more commonly mentioned barriers occur when the courts and agencies are reluctant to terminate parental rights without an adoptive home identified; when parents request another chance or have substance abuse problems; or when prior services provided by the agency were not sufficient to address parents' problems.

2) Recruit Adoptive Home

The vast majority of states (47) report barriers to finding sufficient adoptive homes. Without sufficient homes, adoptions may be delayed or not even occur. The two most commonly mentioned barriers at this stage are finding homes for special-needs children (i.e., older children, sibling groups, and children with behavioral problems and disabilities) and finding homes to reflect the racial and ethnic diversity of the children.

3) Child Welfare Case Management

Child welfare case management refers to aspects of the child welfare agency, such as staffing and paperwork that affect the adoption process. Many states (43) report barriers around agency case management that delay the adoption process. Some of the more commonly mentioned barriers include staff turnover (i.e., a new caseworker "starts fresh" each time), high caseloads, insufficient staff training, lack of communication with the courts, delays when cases are transferred from an ongoing case unit to an adoption unit, and incomplete case records (TPR cannot proceed without certain information).

4) Court Case Management

Court case management refers to aspects of court processes, such as staffing and paperwork that affect the adoption process. Most states (43) report barriers in court case management that delay the adoption process. Some of the more frequently reported barriers include continuances, crowded dockets, difficulty scheduling hearings, judicial beliefs about adoption, and lack of communication with the child welfare agency.

5) Establish/Change Goal

The permanency goal should be appropriate and determined in a timely manner. Most states (42) report barriers to establishing or changing the child's goal to adoption, which may mean adoption is not pursued in a timely manner or not pursued at all. Some of the commonly mentioned barriers occur when an agency does not consider the goal of adoption early enough in the case process or maintains the goal of reunification for too long. Additionally, workers and/or older children themselves may prefer a permanency goal of long-term foster care or independent living, presenting a barrier to establishing a goal of adoption for youth.

Other Stages Where States Report Barriers

Barriers can occur throughout the adoption process. While it is important to highlight some of the more commonly reported stages, there are other stages where states report barriers.

Child Welfare and Court Resources

Many states (32) report barriers in attaining child welfare resources. Most report a lack of staff and agency attorneys. Many states (21) also report insufficient court resources, most commonly a lack of judges, attorneys and administrative staff.

Initiate Concurrent Planning

A majority of states (32) report barriers around initiating concurrent planning. Concurrent planning involves exploring reunification while simultaneously exploring alternative permanency options should reunification fail. While ASFA encourages states to implement this practice, states vary in whether and how they implement these procedures. Many states implement the procedures in policy, yet a common sentiment is that concurrent planning exists in “form but not function.” The states that have effectively implemented concurrent planning report that it is a promising approach in improving the adoption process.

Conduct Proceedings for Appeal

A majority of states (30) report barriers around conducting proceedings when a child's birth parents appeal the termination of parental rights. Most of these states report the appeal process to be very lengthy, sometimes taking years.

Approve Adoptive Placement

Many states (32) report delays around approving an adoptive placement. Some commonly reported barriers include delays in completing home studies, difficulties completing the ICPC process for interstate adoptions, and the absence of a “dual-licensing” process for foster parents, meaning that if foster parents decide they want to adopt, they have to go through an additional approval process for adoption after already completing the approval process to be a foster parent.

Finding of Abuse/Neglect

Some states (8) report barriers around the formal finding of abuse or neglect; specifically, the adjudication process takes so long that it may delay the permanency process. For example, a child may be in care 12 months and eligible for the permanency hearing, but the child's case may not yet be adjudicated.

Diligent Search

A portion of states (20) report barriers in the diligent search for parents. In this stage, the agency searches for the child's biological parents, which is necessary in order to terminate parental rights. Most states reporting a barrier at this stage believe the diligent search should happen earlier in the case process.

Provide Legal Services

Some states (15) report that providing legal services for biological parents to protect their interests in TPR proceedings presents a barrier in proceeding with TPR.

Conduct Proceedings for Adoption

Interestingly, only 12 states report barriers around conducting proceedings for adoption, suggesting TPR and recruiting sufficient homes are the primary points where the adoption process slows.

KEY FINDINGS: PROMISING APPROACHES TO FOSTER CARE ADOPTION

Interest in achieving permanency outcomes for children through adoption has grown significantly in recent years, as evidenced in the ASFA legislation and the growing numbers of children moving through the adoption process. This report provides further evidence of this interest, as shown in the numerous promising practices undertaken by states to address barriers to adoption. The stages where states most commonly report promising practices are described below. It is notable that states are reporting a variety of promising practices to address many of the most significant barriers.

Top Five Stages Where States Report Promising Approaches (See Table 1 on page 15.)

1) Recruit Adoptive Home

Almost every state (50) reports improved efforts to find adoptive homes for waiting children. Some of the most commonly reported practices at this stage include conducting extensive recruiting campaigns using a variety of media, using exchanges and Web sites, and organizing a range of recruiting events and activities. States frequently report contracting or collaborating with other agencies to conduct recruitment activities.

2) Child Welfare Case Management

Most states (45) report attempts to address barriers around child welfare case management. Some commonly reported practices include reorganizing staff to create adoption units or specific adoption positions, providing additional training on adoption, and creating permanency task forces or committees.

3) Approve Adoptive Home

Most states (38) report efforts to improve the process of approving adoptive homes. This process involves background checks, a home study, adoptive parent training, and, if the adoption is in another state, completion of the Interstate Compact for Placement of Children (ICPC). Some of the commonly reported practices for improving this process include dual-licensing foster and adoptive parents so foster parents do not have to go through another approval process if they chose to adopt, expediting home studies, collaborating with neighboring states to complete the ICPC process, and enlisting contracts to conduct all or part of the approval process.

4) Hold Permanency Hearing

Most states (36) report progress around holding permanency hearings. For many states, hearings were reported to be timely and effective. States report the use of tracking systems, improvements in scheduling, and Court Improvement Project (CIP) Bench Books as means for improving hearings and their timeliness.

5) Establish Adoption Subsidy/Services

Most states (35) report efforts to establish services and subsidies to assist adoptive families. These states often report that such supports can improve the stability of adoptive placements and are important to ensure the well-being of adopted children.

Other Stages Where States Report Promising Approaches

States are also making significant efforts to improve the adoption process at many other stages.

Conduct TPR Proceedings

Many states (34) report making efforts to improve TPR proceedings and are succeeding at ensuring more timely filings and hearings. Some of the more commonly reported efforts made at this stage include the use of mediation programs, the support and use of voluntary relinquishments and open adoptions, the use of tracking or “tickler” systems to inform courts and agencies of hearings, and the development of protocols to guide the process.

Provide Post-Adoption Services

A majority of states (35) report providing or making plans to provide post-adoption services. States vary in the types of services they are providing, ranging from respite care to counseling, and also vary in the extent to which these services have been implemented (e.g., some states are planning services, while others already provide them).

Court Case Management

Many states (32) report attempts to improve court case management. Some commonly reported efforts include assistance provided by Court Improvement Projects (CIPs), training of judges and attorneys, and efforts to improve communication and collaboration with the child welfare agency (e.g., through task forces, committees, liaisons, etc).

Child Welfare and Court Resources

While resources are also frequently a barrier, many states report promising approaches in attaining child welfare resources (21 states) and court resources (11 states), most often increases in staff.

Initiate Concurrent Planning

Over half of states (26) report some success around initiating concurrent planning practices. Frequent improvements include new training for staff or court personnel. In some cases, states report training foster parents to be potential adoptive parents through foster-to-adopt programs in an effort to better implement concurrent planning.

Select Adoptive Placement

Thirty-three states report success around selecting adoptive homes for children. Most commonly, states report an effective use of cross-jurisdictional homes, which entails matching children with potential families throughout the state. Other states provide training and additional information to foster parents around becoming an adoptive parent of the child in their care. States may provide caseworkers with additional assistance in selecting an appropriate adoptive placement. States also report organizing matching events, where potential adoptive families can meet children waiting to be adopted.

Establish/Change Goal

Some states (18) report success around establishing and changing permanency goals. These states are able to establish timely and appropriate goals for the children in their care. Some strategies for doing this include revisiting goals for older children, utilizing family group conferencing, and creating committees or roundtable meetings to review the goals of particular cases.

Prepare/Transition Child and Family

Some states (21) report promising approaches in preparing the child and family for adoption. Some of these approaches include providing preparation services, developing mentoring programs, and offering mental health services to families. Often states use contract agencies to perform these services.

WHY IS THIS RESEARCH IMPORTANT?

This first-time comprehensive national look at adoption from foster care reveals tremendous complexities in the process and finds that states are quite similar in the challenges they face. There are extraordinary tensions in balancing children's needs and parent's rights. States have an interest in moving children into permanent homes quickly, yet at the same time must protect the parent's right to parent and rights during a termination process. There is also a required extensive interplay between agencies and courts at several stages in the adoption process. As a result of these tensions and complexities, this report finds that many states report barriers at similar stages in the foster adoption process. States are also reporting an array of promising approaches to address these problems.

Reveals Complexity of the Process of Adoption from Foster Care

This report documents how the foster care to adoption process requires a complex interplay between the child welfare agencies and the courts. Each of these agencies has its own mission, system of operations, and organizational culture making coordination of efforts extremely challenging.

Highlights a Set of Barriers Most States Face

Given the complexity of the process, states face many barriers to moving children toward adoption. Moreover, the vast majority of states report facing similar barriers, including difficulties in terminating parental rights (48 states), recruiting adoptive homes (47 states), child welfare case management (43 states), court case management (43 states), and establishing / changing permanency goals (42 states).

Highlights a Set of Promising Approaches in Which Most States are Engaged

Interest in achieving permanency outcomes for children who cannot be reunited with their birth families has grown significantly in recent years. This report provides further evidence of this interest, as shown in the numerous promising practices undertaken by states to address barriers to adoption. States report the most efforts to improve the adoption process in recruiting adoptive homes (50 states), child welfare case management (45 states), approving adoptive homes (38 states), holding permanency hearings (36 states), and establishing adoption subsidies / services (35 states).

Points to Persistent Barriers Most States Face

Many of the significant barriers are at stages of the adoption process in which many states also report promising approaches. This suggests that States are aware of some of the most difficult issues and are taking steps to address them. This also suggests that despite significant promising approaches, some barriers are persistent and may require significant time and resources to resolve. Three barriers are of particular note: finding adoptive homes, case management, and addressing TPR tensions. However, some barriers are inherent to the adoption process and may exist for important reasons. For example, youth over the age of 14 may choose not to be adopted (although care should be taken to address what that youth is really saying). Similarly, parents have the right to appeal a termination of their parental rights. Thus, regardless of how well a system functions, it may not be possible to move all children toward adoption quickly.

Points to Barriers Many States Face but Few Have Addressed

The report also shows that for some stages of the adoption process where many states report barriers, few states report promising practices to address them. Specifically, many states report barriers around providing sufficient legal services during TPR proceedings, but few report promising approaches to address this problem. Similarly, many states report that the appeals process in TPR has significant barriers, and yet few have come up with promising approaches for addressing this problem.

Point to Stages of the Adoption Process that States Have Yet to Focus On

There are a number of areas for which states do not report facing major barriers, and also do not identify many promising practices. These areas include completing diligent searches for birth

fathers and relatives, preparing and transitioning the child and adoptive family, and conducting the adoption proceedings.

Suggests Strategies to Improve TPR

Barriers around terminating parental rights (TPR) reflect the significant tensions courts and agencies face in struggling to balance protecting parental rights with protecting children's interests. This report documents some promising approaches states have already implemented that might be enhanced, and replicated in other localities around the country.

- Streamlined and efficient process: ensuring complete case records, implementing "tickler" systems to remind agency and court of timelines
- Sufficient resources at critical stages: adding agency lawyers; providing representation for parents in appeals; and offering services for parents to address problems
- Alternative approaches: allowing for open adoption; exploring voluntary relinquishments; and implementing mediation programs

Suggests Approaches for Recruiting Adoptive Homes

Many states report promising approaches to recruiting adoptive homes, yet still report this as a barrier. This report suggests some promising approaches that states are implementing, many of which might be further explored and enhanced.

- Planned and comprehensive recruitment: developing comprehensive statewide and local plans; implementing a strategic planning process; and targeting the most applicable families
- Improved approval and selection processes: creating an efficient and customer-friendly process; implementing dual-licensing of foster and adoptive parents; and informing relative caregivers about the option of adopting
- Sufficient services: providing subsidies similar or equal to foster care; offering supplemental services similar to foster care services; and developing pre- and post-adoption services

Suggests Methods for Improving Case Management

Courts and child welfare agencies must interact at several stages in the adoption process. Effective coordination and case management practice in both agencies is vital to ensuring a smooth process. States report several promising approaches in this area that might be explored in other localities.

- Coordination between child welfare and courts: developing liaison positions; creating jointly staffed committees or oversight boards; implementing processes for sharing information
- Resources to process cases efficiently: expanding the number of judges, attorneys, and administrative staff
- Agency Reorganization: designating staff for adoption functions only; creating adoption units, changing how judges and cases are assigned; and forming committees to review adoption cases

WHAT CAN BE DONE TO IMPROVE THE FOSTER CARE TO ADOPTION PROCESS?

While states are making substantial efforts to improve the process of transitioning foster children to adoption and to address specific barriers, there is still much work to be done to ensure that all children find the permanent, loving families they need and deserve in a timely manner. The findings from this study suggest that the following recommendations may help in better understanding and addressing the barriers to adoption that states still face:

Direct Future Adoption Opportunities Grants toward Addressing Identified Barriers

The Federal Adoption Opportunities Program (AOP), through grants to innovative state and local agencies, seeks to eliminate barriers to adoption and help find permanent families for children who would benefit from adoption, particularly children with special needs. DHHS, which administers the program, may want to focus future AOP grants on exploring strategies for addressing the barriers identified in this study as the most common and persistent or those not yet addressed by many states. Some of the promising approaches could also be targeted for adoption opportunity grants.

Use the National Child Welfare Resource Centers to Provide Technical Assistance

DHHS funds 12 national resource centers to provide training and technical assistance to state and local child welfare agencies. These Centers, in particular the National Resource Center for Family Centered Practice and Permanency Planning and the National Child Welfare Resource Center for Adoption, could garner resources and expertise to provide technical assistance around the barriers identified in this study. These resource centers could also be used as a repository for information on promising approaches. In addition, private resources such as the Casey Center for Effective Child Welfare Practice provide at no fees technical assistance, training, and consultation to public and private state agencies.

Focus on Coordination between the Child Welfare Agencies and the Courts

Two of the five most reported barriers (terminating parental rights and establishing / changing permanency goals) reflect the complex and difficult interplay between child welfare agencies and the courts at several stages in the adoption process. Heightened attention needs to be given to the role of the courts in the adoption process, and the vital importance of ensuring coordination between courts and child welfare agencies.

Ensure Workforce Issues a Place on the Agenda for Improvement

Case management issues in both the courts and child welfare agencies were among the most cited barriers in the adoption process. A greater focus and higher priority on staffing issues, organizational culture, and information systems must be part of the national and state agendas to improve the foster adoption process.

Conduct Research to Identify Effective Strategies

Not enough is known about what works for stages of the process where many promising practices are reported, yet there are still significant barriers. Rigorous research will be needed to identify particularly effective approaches in recruitment, terminating parental rights, or case management. Research will also be needed to determine where states are making changes and what new barriers and approaches are emerging. This report provides a baseline, but more research will be needed to document change and progress in addressing barriers.

Encourage Peer-to-Peer Learning

Child welfare administrators, policy makers, and legislators can use the state-level information provided in the report as a springboard for sharing ideas about promising approaches. While the report is not able to provide detailed information on particular approaches, the hope is that states will contact each other to learn more about particular approaches.

GLOSSARY & KEY ACRONYMS

GLOSSARY

Entry Stages

When a child is abused or neglected, he or she may be removed from the birth family and placed in foster care. Adoption efforts may begin in these early stages, if states seek potential adoptive homes for children when identifying a temporary foster care placement. Adoption efforts may be impeded if the finding of abuse or neglect is delayed.

Identify Placement: The child welfare agency seeks a placement for the child when abuse or neglect has been determined, and the child cannot remain at home. This placement might be in a home with relatives, a non-relative foster family, a temporary shelter or a group home.

Finding of Abuse/Neglect: Around the time the child is removed from home and placed, the court conducts a process, often referred to as adjudication, to render a judicial decision about whether the allegations of abuse or neglect are true, and whether or not the birth family is willing or able to correct the situation.

Permanency Planning

After a child is placed in care, the child welfare agency begins what is called "permanency planning." A plan is developed to either eventually return the child home (reunification) or place the child in a permanent alternate living arrangement (i.e., adoption, legal guardianship, permanent placement with a relative, or other planned permanent living arrangement).

Initiate Concurrent Planning: Concurrent planning involves exploring reunification while at the same time exploring alternative permanency options should reunification fail.

Establish/Change Goal: Children in care are given a permanency goal to guide the efforts on their behalf. This goal might be adoption, reunification, living with a relative or guardian, long-term foster care, or emancipation.

Hold Hearing: A permanency hearing must be held for a child within 12 months of a child's entry into care. At the hearing, it is determined whether the child will be returned home, placed for adoption with TPR, referred for legal guardianship, or placed in another planned permanent living arrangement, if no other option is appropriate. States may use tracking or "tickler" systems to inform courts and agencies of hearings.

Termination of Parental Rights (TPR) Stages

If it is determined that efforts will be made to place the child for adoption, the child's parents' parental rights must be terminated to make the child "free" for adoption. TPR permanently eliminates all rights that a parent has to make decisions about his or her child and is a necessary step before parental rights can be granted to another individual or individuals. In some cases, the parents may voluntarily relinquish their parental rights. The TPR process involves several steps:

Diligent Search: If the child's parents are not accessible, the agency or court must conduct a search to find and notify them.

Conduct TPR Proceedings: The court conducts proceedings to terminate parental rights. To begin proceedings, a petition to terminate is filed. States vary in whether the court or the agency files the petition. States also vary in the legal grounds required for termination.

Provide Legal Services: In the legal proceedings for TPR, the parents are often appointed legal representation. There are no national standards and states may vary in whether and how such services are provided.

Conduct Proceedings for Appeal: A child's parents may appeal a TPR. An appeal is an attempt to have the final order of a court changed by seeking the review of a higher court.

Adoptive Placement

An adoptive placement, or resource, is sought for children moving toward a goal of adoption.

Recruit Adoptive Home: This stage refers to state efforts to find potential adoptive placements for children, including the development of campaigns using a variety of media, the use of exchanges and Web sites, and the organization of recruiting events and activities.

Select Adoptive Home: In this stage, the agency selects the placement that is best for a particular child. This process is often referred to as "matching" a child with a family.

Approve Adoptive Home: The process of approving an adoptive resource typically involves background checks, a home study, adoptive parent training, and, if the adoption is in another state, completion of the ICPC (Interstate Compact for Placement of Children).

Conduct Proceedings for Adoption: At this stage, the court conducts legal proceedings in which the adoptive parents take the child as their lawful child. The adoptive parents assume permanent responsibility for providing for the child, and the child is no longer legally connected to his or her previous parents.

Establish Adoption Subsidy/Services: States provide a subsidy to adoptive parents to help assist with the child's care. The amount of the subsidy can vary by state and the needs of the child. The federal government reimburses states for a portion of the subsidy, and some states choose to use state funds to increase the subsidy amount. States also may provide additional services, such as tuition reimbursement.

Prepare/Transition Child and Family: Services are often provided to the family and the child to help them prepare for the adoption. Services can vary from meetings with a caseworker to therapeutic services provided by mental health professionals.

Post-Adoption Stage

Once the adoption is finalized, a child is no longer in the custody of the state and the new adoptive parents assume full responsibility for the child's care. To ensure a smooth transition into the adoptive home for both the child and the adoptive family, states may provide post-adoptive services.

Provide Post-Adoption Services: States may provide a range of services to the family after the adoption is finalized. These services can range from providing referral lists to offering respite care to making counseling services available.

KEY ACRONYMS

CIP: Court Improvement Project
TPR: Termination of Parental Rights
ASFA: Adoption and Safe Families Act
CFSR: Child and Family Services Review
PIP: Program Improvement Plan (part of CFSRs)
ICPC: Interstate Compact for Placement of Children
DHHS: Department of Health and Human Services

Table 1: Barriers at Stages of Adoption Across States

	Entry		Permanency Planning		Termination of Parental Rights (TPR)				Adoptive Placement						Post-Adoption	Agency Factors				
	Identify placement	Finding of abuse/neglect	Initiate concurrent planning	Establish/change goal	Hold hearing	Diligent search	Conduct TPR proceedings	Provide legal services	Conduct proceedings for appeal	Recruit adoptive home	Select adoptive home	Approve adoptive home	Conduct proceedings for adoption	Establish adoption subsidy/services	Prepare/transition child and family	Provide post-adoption services	Child welfare case management	Child welfare resources	Court case management	Court resources
Alabama	X		X	X	X		X		X	X	X	X	X	X	X		X	X	X	
Alaska			X	X	X	X	X			X	X	X		X	X	X	X	X	X	
Arizona			X	X	X		X		X	X		X			X		X		X	X
Arkansas			X	X		X	X			X	X						X		X	
California				X			X			X		X					X			
Colorado				X	X		X			X		X		X	X		X	X		
Connecticut			X	X	X	X	X			X		X			X	X	X		X	
Delaware				X	X		X		X	X		X	X			X		X	X	X
District of Columbia			X	X	X		X		X	X	X	X	X				X	X	X	X
Florida				X		X	X	X		X									X	X
Georgia				X	X		X			X	X	X					X		X	
Hawaii			X	X			X		X	X	X	X					X	X	X	
Idaho			X	X			X		X	X		X		X	X		X		X	
Illinois		X		X		X	X	X	X	X		X				X	X		X	
Indiana	X		X	X	X		X	X	X	X		X		X	X		X	X	X	
Iowa			X	X		X				X		X			X		X	X	X	X
Kansas			X				X		X	X				X			X			
Kentucky			X	X	X		X		X	X							X		X	
Louisiana		X					X			X			X	X			X			
Maine			X	X		X	X		X	X		X	X	X			X	X	X	
Maryland			X	X	X		X	X	X	X	X	X	X					X	X	X
Massachusetts		X		X	X	X	X	X				X				X	X		X	
Michigan			X		X		X		X	X		X		X			X	X	X	
Minnesota							X							X						
Mississippi			X	X	X	X	X			X							X	X	X	X
Missouri			X	X	X	X	X	X		X		X		X		X	X	X	X	
Montana			X		X				X	X		X		X		X		X		
Nebraska				X	X	X	X			X		X	X			X	X	X	X	
Nevada			X	X	X		X	X		X		X			X		X		X	X
New Hampshire	X	X	X	X	X	X	X		X	X								X	X	X
New Jersey	X		X	X	X		X	X	X	X	X	X		X	X	X	X	X	X	X
New Mexico				X			X	X	X	X		X	X	X			X	X	X	X
New York		X		X	X	X	X		X	X	X		X	X	X	X	X	X	X	X
North Carolina						X	X	X		X				X		X	X	X	X	X
North Dakota							X	X	X	X				X			X	X	X	X
Ohio			X	X	X				X	X							X		X	
Oklahoma		X	X	X	X	X	X		X			X			X		X	X	X	
Oregon			X	X	X	X	X		X	X		X	X	X			X	X	X	X
Pennsylvania			X	X		X	X	X	X			X		X		X	X		X	X
Rhode Island			X	X	X		X	X	X	X	X			X	X	X	X	X	X	
South Carolina			X	X	X	X	X			X							X	X	X	X
South Dakota		X	X			X	X		X	X									X	
Tennessee				X		X	X		X	X	X						X	X		
Texas				X			X			X		X	X				X	X	X	
Utah				X			X			X						X	X	X		
Vermont		X		X	X		X	X		X	X	X					X	X	X	X
Virginia			X	X			X		X	X	X	X			X		X	X	X	X
Washington			X	X	X		X	X	X	X	X	X	X	X			X	X	X	X
West Virginia	X			X	X		X			X	X	X		X	X	X	X	X	X	
Wisconsin	X		X	X			X		X	X							X	X		X
Wyoming			X		X		X		X	X				X					X	

Table 2: Promising Approaches at Stages of Adoption Across States

	Entry		Permanency Planning		Termination of Parental Rights (TPR)				Adoptive Placement					Post-Adoption	Agency Factors					
	Identify placement	Finding of abuse/neglect	Initiate concurrent planning	Establish/change goal	Hold hearing	Diligent search	Conduct TPR proceedings	Provide legal services	Conduct proceedings for appeal	Recruit adoptive home	Select adoptive home	Approve adoptive home	Conduct proceedings for adoption	Establish adoption subsidy/services	Prepare/transition child and family	Provide post-adoption services	Child welfare case management	Child welfare resources	Court case management	Court resources
Alabama			X		X		X			X		X		X		X	X	X	X	
Alaska					X					X		X		X		X	X	X		X
Arizona		X	X		X		X			X	X	X	X	X		X	X		X	
Arkansas					X		X			X	X	X				X	X			
California			X	X	X		X			X	X			X		X	X	X		
Colorado			X	X	X		X			X	X	X				X	X	X	X	
Connecticut				X			X		X	X		X		X	X	X	X	X	X	
Delaware	X		X		X		X			X	X	X		X	X	X	X	X	X	
District of Columbia		X	X		X	X	X		X	X		X					X		X	X
Florida	X				X		X	X		X		X	X	X	X		X			
Georgia	X		X	X	X		X			X	X	X			X	X	X			X
Hawaii	X		X		X		X			X		X					X			
Idaho			X	X	X		X			X				X		X	X		X	
Illinois					X					X	X	X		X	X	X	X		X	
Indiana	X				X		X	X		X		X		X						X
Iowa			X	X	X		X		X	X				X		X			X	
Kansas				X	X		X			X	X			X	X	X	X			
Kentucky			X	X	X					X	X	X		X	X					
Louisiana			X	X	X	X	X			X	X	X		X	X	X	X		X	
Maine										X	X	X		X		X	X		X	X
Maryland						X	X			X	X	X							X	
Massachusetts					X		X			X	X	X					X		X	
Michigan				X	X		X			X	X	X		X	X	X	X	X	X	
Minnesota			X				X			X	X	X		X	X	X	X	X	X	
Mississippi			X		X					X	X			X	X	X	X			
Missouri								X		X		X					X	X	X	
Montana			X	X			X			X	X	X		X	X		X	X	X	
Nebraska					X		X					X		X			X		X	
Nevada	X				X			X		X	X	X			X	X				
New Hampshire										X	X	X			X	X	X	X	X	
New Jersey			X	X	X					X		X		X		X	X	X	X	
New Mexico		X	X	X	X		X			X	X	X		X	X	X	X	X	X	X
New York			X			X				X	X	X			X		X			
North Carolina					X		X			X	X		X	X			X	X	X	
North Dakota			X	X	X					X	X						X			
Ohio				X						X	X			X		X				X
Oklahoma							X			X		X		X		X	X			
Oregon			X				X			X	X			X		X	X	X	X	
Pennsylvania					X	X	X			X	X	X		X	X	X	X	X	X	X
Rhode Island			X		X		X		X	X	X	X		X	X	X	X	X		
South Carolina										X	X	X				X	X		X	
South Dakota	X						X			X		X		X		X	X		X	
Tennessee					X					X	X	X		X			X	X	X	
Texas			X	X	X					X	X	X	X	X	X	X	X		X	
Utah			X	X	X		X			X	X			X		X	X		X	
Vermont			X		X		X			X						X	X	X	X	
Virginia			X		X					X	X	X		X	X	X	X		X	
Washington			X	X			X	X		X		X		X			X	X		X
West Virginia						X	X			X							X	X		X
Wisconsin					X					X						X	X			
Wyoming					X	X				X	X	X		X	X	X	X		X	X

UNITED STATES

Barriers and Promising Approaches²

STAGES OF ADOPTION		Barrier States (Percent and Number)		Promising Approach States (Percent and Number)	
Entry	Identify placement	12%	6	14%	7
	Finding of abuse/neglect	16%	8	6%	3
Permanency Planning	Initiate concurrent planning	63%	32	51%	26
	Establish/change goal	82%	42	35%	18
	Hold hearing	59%	30	71%	36
Termination of Parental Rights (TPR)	Diligent search	39%	20	14%	7
	Conduct TPR proceedings	94%	48	67%	34
	Provide legal services	29%	15	6%	3
	Conduct proceedings for appeal	59%	30	12%	6
Adoptive Placement	Recruit adoptive home	92%	47	98%	50
	Select adoptive home	29%	15	65%	33
	Approve adoptive home	63%	32	75%	38
	Conduct proceedings for adoption	24%	12	8%	4
	Establish adoption subsidy/services	45%	23	69%	35
	Prepare/transition child and family	29%	15	41%	21
Post-Adoption	Provide post-adoption services*	29%	15	69%	35
AGENCY FACTORS					
Child Welfare	Case management	84%	43	88%	45
	Resources	63%	32	41%	21
Courts	Case management	84%	43	63%	32
	Resources	41%	21	22%	11

* Sixty-nine percent of states report promising approaches for both providing post-adoption services and establish adoption subsidy/services. Since many of the promising approaches reported for providing post-adoption services were plans for services that had not necessarily been implemented, establish adoption subsidy/services was selected for inclusion in the top five stages where promising approaches were reported.

² Green shading refers to the top five stages where barriers are reported. Blue shading refers to the top five stages where promising practices are reported.